

Attorney's Docket No. 1232-4681
Serial No. 09/779,317
Reply to the final Office Action dated September 23, 2003,
and Advisory Action mailed February 9, 2004

REMARKS

This Reply is accompanied by a Request for Continued Examination (RCE). The above amendments and following remarks are responsive to all the points of rejections raised by the Examiner in the final Office Action dated September 23, 2003, and Advisory Action dated February 9, 2004. No new matter has been introduced by the claim changes. Upon entry of this paper, claims 1-19 are pending in the application. Claims 1, 7 and 13-19 are amended. Entry and consideration of the Reply and Amendment are respectfully requested.

Response To Rejections Under 35 U.S.C. § 103:

In the Office Action, claims 1-4, 7-10 and 13-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Clapp (U.S. Pat. No. 6,073,192, hereafter Clapp) in view of Rodriguez et al. (U.S. Pat. No. 5,999,207, hereafter Rodriguez). Additionally, claims 5-6 and 11-12 stand rejected under 35 U.S.C § 103(a) as being unpatentable over Clapp in view of Rodriguez, and further in view of Kato et al. (U.S. Pat. No. 5,898,824, hereafter Kato). Applicant respectfully traverses the rejections for the following reasons.

In the Office Action, the Examiner relies on the combination of Clapp, Rodriguez and Kato to render obvious all the pending claims. Applicant respectfully submits that Clapp, Rodriguez and Kato, either individually or in combinations, fail to teach or suggest the newly claimed features of the present invention.

Specifically, the present invention is directed to an apparatus, method and computer program product where in the second operation mode, control commands are generated by an application program running in the external data processor. Transition to a first operation

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mode is made when the application program is terminated during the operation of the external data processor in the second operation mode. This feature is now recited in claims 1, 7, and 13-19 of the present invention. Clapp does not appear to teach or suggest the feature of the present invention. Additionally, Rodriguez and Kato do not appear to overcome the deficiencies noted above in Clapp.

Accordingly, claims 1, 7 and 13-19 are believed to be distinguishable over the prior art of record, viewed individually or in combination. Likewise, claims 2-6 and 8-12 are also believed to be distinguishable over the prior art of record based on their dependency from claims 1 and 7, respectively.

CONCLUSION

In view of the above remarks and arguments, Applicant respectfully submits that all of the stated grounds of rejections have been properly traversed, accommodated or rendered moot. Thus, Applicant believes that all of the pending claims are patentable over the prior art of record, and the present application is now in condition for allowance.

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AUTHORIZATION

A check for \$310.00 is enclosed to cover the fees for the second month extension of time. The Commissioner is also authorized to charge any additional fees which may be required for this Response, or credit any overpayment to Deposit Account 13-4503, Order No. 1232-4681.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Date: February 20, 2004

By: _____


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